

REMARKS

Initially, applicant would like to express his appreciation to Examiners NAWAZ and BAROT for discussing the present application with applicant's representative on December 22, 2005. During the discussion, applicant's representative explained operation of the invention to the Examiner; requested withdrawal of the finality of the Official Action and/or entry of the present amendment; and discussed proposed amendments to the claims. Applicant is now formally requesting withdrawal of the finality of the Official Action.

Claims 1 - 20 have been rejected under 35 U.S.C. 103(a) as being anticipated by GUDJONSSON et al. in view of MANBER et al. Applicant respectfully traverses.

Independent claim 1 has been amended to clarify that the first message exchanging application is limited to one-to-one message exchanges via a first interface. Page 21 and Fig. 10 provide examples of such a messenger application. The claim also recites a second message exchanging application that enables simultaneous message exchanges via a second interface. Page 21 and Fig. 8 offer examples of such a chat application. When the switch between applications occurs, the interface switches. Importantly, the two claimed message exchanging applications are different applications having different capabilities. The first application is limited to one-to-one message exchanges. The second application enables simultaneous message exchanges.

In contrast, GUDJONNISON et al. disclose a single message exchanging application. Thus, switching between different interfaces of the different

applications cannot occur because only a single application having a single interface is disclosed. Moreover, GUDJONNISON et al. do not disclose any application that is limited to one-to-one messaging.

MANBER et al. do not supply the deficiencies of GUDJONNISON et al. Therefore, because the applied references do not disclose or suggest multiple message exchange applications, including an application limited to one-to-one messaging, claim 1 is believed to be patentably distinguishable from the applied references. In addition, because a different interface is not provided for each application (only a single application exists in GUDJONNISON et al.), there can be no teaching or suggestion of the claimed message exchange switching system.

Consequently, for at least these reasons, it is requested that the Examiner withdraw the rejections of claim 1.

Independent claims 4, 7, 10, and 13 recite enabling one-to-one message exchanges via a first interface, the interface being limited to one-to-one messaging. Fig. 10 provides an example of such a messenger application interface. The claims also recite enabling simultaneous message exchanges via a second interface. Fig. 8 shows an example of such a chat system interface. The claims also recite switching between the first interface and the second interface. Importantly, the two claimed interfaces are interfaces to different applications. The first interface is limited to one-to-one message exchanges. The second interface enables simultaneous message exchanges. As noted above, GUDJONNISON et al. do not disclose these features.

MANBER et al. do not supply the deficiencies of GUDJONNISON et al. Therefore, because the applied references do not disclose or suggest switching between multiple interfaces, one of the interfaces being limited to one-to-one messaging, claims 4, 7, 10, and 13 are believed to be patentably distinguishable from the applied references. Consequently, for at least these reasons, it is requested that the Examiner withdraw the rejections of claims 4, 7, 10, and 13.

Dependent claims 2, 3, 5, 6, 8, 9, 11, 12, 14-20 are also believed to recite further patentable subject matter of the invention and therefore are also believed allowable over the prior art. As such, allowance of the dependent claims is deemed proper for at least the same reasons noted for the independent claims, in addition to reasons related to their own recitations. For example, claims 16 – 20 require display of a button in response to interruption of messaging. Selecting the button enables interface switching. Page 14 of GUDJONNISON et al., as best understood, discloses buttons for sending an invitation. The buttons are for a sender. In contrast, the claimed buttons are displayed on the receiving system, i.e., in response to interruption of messaging. Moreover, because GUDJONNISON et al. lack the claimed interface switching, they cannot disclose or suggest buttons that enable the claimed interface switching. Accordingly, applicant respectfully requests reconsideration of the outstanding rejections and an indication of the allowability of all of the claims in the present application.


Although the Official Action is final, and applicant acknowledges that entry of amendments after a final rejection is not a matter of right, applicant submits that entry is proper in this case. During both interviews, applicant's

representative stressed the instant message (IM) feature that is limited to one-to-one messaging. Applicant believes the previous claims (before amendment), and the specification are consistent with the discussion. The amendments are merely presented for clarification. With respect to the change from "system" to "application," applicant submits that consistent with the specification such a limitation was already understood. These amendments are also being submitted for the purpose of clarification.

Any amendments to the claims in this amendment, that have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
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